Do Not Enter 10/28/05 556

Attorney's Docket No. <u>033248-017</u> Application No. <u>09/913,752</u>

Page 2

## **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

## **LISTING OF CLAIMS:**

Claims 1-15 (canceled)

- 16. (Currently Amended) A pharmaceutical formulation for peroral single daily application, comprising
  - (a) clarithromycin or a derivative thereof; and
- (b) a mixture of a fatty and hydrophilic component, wherein the fatty component comprises about 10-36 weight percent of the formulation, wherein said fatty component is behenic acid, glycerol behenate or a combination thereof; and the
- (c) hydrophilic component comprises comprising about 5-18 weight percent of the formulation, ; wherein the formulation is a controlled release formulation;

and wherein the <u>said</u> hydrophilic component is <u>xanthan gum</u>, <u>guar gum</u>, <u>acacia</u>, <u>or any combination</u> <del>selected from the group consisting of alkyl substituted cellulose ethers, polysaccharides, adsorbants and mixtures</del> thereof.

- 17. (Previously Presented) The pharmaceutical formulation according to claim 16, further comprising a surfactant.
- 18. (Previously Presented) The pharmaceutical formulation according to claim 16, further comprising a pH modulator.

CA 97685.1